

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Menard et al.

Serial No. : 09/041,538

Filed : March 11, 1998

For : FRICTION MATERIAL DESIGNED FOR FITTING TO A DEVICE
EMPLOYING FRICTION IN A LIQUID MEDIUM, AND A METHOD
OF PRODUCING SUCH A FRICTION MATERIAL AND THE
DEVICE TO WHICH IT IS FITTED



Group Art Unit: 1771

Examiner: A. Singh

Assistant Commissioner for Patents
Washington, D.C. 20231

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PETITION TO WITHDRAW HOLDING OF
ABANDONMENT UNDER 37 CFR §1.181(a)

Sir:

Applicants respectfully request withdrawal of the holding of abandonment of the above-identified application. In short, Applicants submit that due to an error on the part of the U.S. Patent and Trademark Office, a timely submitted Amendment and Response has not been considered.

STATEMENT

On December 10, 2000, the U.S. Patent and Trademark Office mailed out an Office Action for the above-identified application.

On June 12, 2000, the undersigned prepared submitted an Amendment and Response, a Petition for Extension of Time and a check in the amount of \$870.00. The Certificate of Mailing was signed by the undersigned and the undersigned certifies that these papers and check were

deposited with the United States Postal Service on June 12, 1999 with sufficient postage as first class mail in an envelope addressed to the United States Patent and Trademark Office.

The statutory date for responding to this Office Action was Saturday, June 10, 2000. Since this date for taking action fell on a Saturday, the action may be taken on the next succeeding day which is not a Saturday, Sunday or a Federal holiday under to 37 C.F.R. § 1.7. Therefore, Monday, June 12, 2000 became the statutory date for responding to the Office Action.

A copy of the papers mailed is attached hereto. The return postcard which was enclosed with the response has not yet been received back from the U.S. Patent & Trademark Office.

Withdrawal of the holding of abandonment is respectfully requested.

If the Examiner believes that issues may be resolved by a telephone interview, the Examiner is respectfully urged to telephone the undersigned at (212) 415-8715.

AUTHORIZATION

No fee is believed to be due.

The Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to Deposit Account 13-4500, Order No. 1948-4293US1.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 1948-4293US1. A

Docket No. 1948-4293US1

DUPLICATE OF THIS DOCUMENT IS ATTACHED

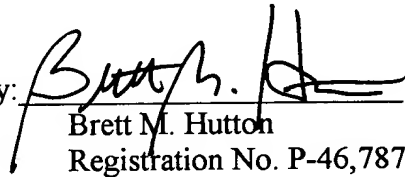


Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: June 21, 2000

By:


Brett M. Hutton
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